



TESTIMONY OF THE CONNECTICUT JUVENILE JUSTICE ALLIANCE FOR THE JUDICIARY COMMITTEE MARCH 14, 2016

SB NO. 427 AN ACT CONCERNING CHILDREN IN THE JUVENILE JUSTICE SYSTEM AND GUARDIANSHIP APPOINTMENT

Senator Coleman, Representative Tong and members of the Judiciary Committee: My name is Mallory LaPierre; I am the policy associate of the Connecticut Juvenile Justice Alliance. The Alliance is a statewide public policy and advocacy organization dedicated to stopping the criminalization of Connecticut's children. We believe in prevention to keep children from entering the system and best practice and policy to ensure that children who do enter the system are treated safely, fairly, and effectively, so that they can succeed.

The Alliance fully supports SB 427 An Act Concerning Children In The Juvenile Justice System And Guardianship Appointment. This bill would provide for *automatic* erasure and destruction of juvenile records for families with service needs youth and those children convicted of non-Serious Juvenile Offenses, after two years without any additional convictions. The juvenile justice system is intended to be rehabilitative and give youth a second chance. Automatically erasing the records of former juvenile offenders will ensure they can all benefit equally from these functions. This proposal would help eliminate the unintended consequences of a juvenile conviction by ensuring that records – and the stigma they carry with them – are erased and not accessible to anyone. (Note: the proposed bill does not change erasure procedures for juveniles convicted of Serious Juvenile Offenses, who will still have to wait four years and petition.)

This would significantly improve current practice, which is not automatic. Today, juvenile records can be erased, but only after a manual request is filed, and even then the requests are not granted all of the time. Many families are unaware they can have their records erased, and among those who do, are often unaware of the process. This creates vast racial/ethnic and socioeconomic disparities between which children do and do not get their records erased.

This bill also provides juveniles who are sentenced to a commitment to the Department of Children and Families with credit for the time they spend in presentence detention. Currently, youth held in a juvenile detention center and subsequently sentenced to probation receive credit for the days spent in detention, while youth sentenced to the DCF do not receive any credit for that time. This creates a disparity in treatment between juveniles, some of who have committed the same type of offense. Given that nearly 8 in 10 youth committed to the Department of Children and Families for secure treatment are youth of color¹, this lack of consistency has a disparate impact on youth of color.

Furthermore, this credited time can be taken off of the “back end” of the youth’s commitment so that it does not interfere with the initial six-month treatment term that the youth would spend in the Connecticut Juvenile Training School or other secure option. This would create a sense of fairness and uniformity in juvenile court matters and prevent certain youth from spending “dead time” in detention that they are not credited for.

¹ Connecticut Juvenile Training School Advisory Board Report to the Commissioner of the Department of Children and Families, pg. 4 (2015)

Thank you for the opportunity to submit this testimony.

Alliance member organizations:

AFCAMP, Center for Children's Advocacy, Center for Effective Practice / CHDI, Children's Mental Health Connecticut, Connecticut Legal Services, Connecticut Voices for Children, Connecticut Youth Services Association, Community Partners in Action, FAVOR, LifeBridge, Office of the Chief Public Defender, Office of the Child Advocate, RYASAP, The Tow Foundation, The Village for Families and Children